

**From:** [Phan, Johnny](#)  
**To:** [Downtown West Project](#)  
**Subject:** FW: Google - Diridon/DW - Parking Language  
**Date:** Tuesday, April 6, 2021 2:20:19 PM  
**Attachments:** [DT West Parking Terms - Draft 1-21-21-c.docx](#)

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**From:** Miller, Gregg <[gmler@coblenzlaw.com](mailto:gmler@coblenzlaw.com)>  
**Sent:** Thursday, January 21, 2021 8:31 PM  
**To:** Phan, Johnny <[Johnny.Phan@sanjoseca.gov](mailto:Johnny.Phan@sanjoseca.gov)>  
**Subject:** Google - Diridon/DW - Parking Language

[External Email]

Johnny: attached is draft parking language for City review. Thanks,

**Gregg Miller**

**Coblentz Patch Duffy & Bass LLP**

One Montgomery Street, Suite 3000

San Francisco, CA 94104

Cell: 415-939-3142 | Direct Dial 415-772-5736 | Office 415-391-4800

[gmler@coblenzlaw.com](mailto:gmler@coblenzlaw.com)

[www.coblenzlaw.com](http://www.coblenzlaw.com)

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## San Jose Downtown West | **DRAFT** Parking Terms 1.21.21

### **Downtown West Parking Requirements**

*Google and the City anticipate the replacement of approximately 2,850 existing surface parking spaces on property that will be redeveloped as part of the Downtown West project, and the development of up to 1,950 additional spaces (for a total of up to 4,800 publicly-available parking spaces) to ensure the long-term sustainability of the SAP Center.*

1. **Overall Requirements:** Over the course of the development of the Project, Google shall be required to provide publicly accessible off-street parking spaces serving new office development at a ratio of .645 spaces for each 1,000 square feet of Floor Area (which shall mean eighty-five percent (85%) of the total gross floor area) of such office buildings (the “Required Parking Ratio”).
  - Once 4,000 parking spaces are operational and in compliance with these terms, the Required Parking Ratio will no longer apply.
  - Google may construct up to 4,800 publicly available parking spaces at its discretion; this parking would be reviewed as part of the Conformance Review process.
  - The Required Parking Ratio represents a reduction from standard City parking requirements, which would require as many as 15,500 spaces at Downtown Commercial parking ratios (2.5 spaces per 1,000 square feet of Floor Area), or 6,600 spaces with application of available standard parking reductions (1.06 spaces per 1,000 square feet of Floor Area). The Required Parking Ratio of .645 spaces per 1,000 square feet of Floor Area is warranted given the area’s rich transit and mixed-use environment, sustainability and air quality imperatives, traffic reduction and City’s multimodal goals, and transportation demand management requirements.
  - The Required Parking Ratio is critical to serve the needs of the Project, as well as to replace parking currently utilized by transit riders and SAP Center patrons. With this in mind, the commercial parking will be publicly-available and priced to allow for maximum efficiency to support the SAP Center, as well as the multimodal goals of the City and Project.
    - The project targets at least 85% of the commercial parking spaces to be available for SAP event use after 6:30pm on event days.
  - If, over the course of the Development Agreement, some parking is found to be no longer warranted, the City may, at its sole discretion, reduce the Required Parking Ratio and/or overall amount.
  - The parking requirement must be satisfied in part through at least 2,850 spaces within the Project boundary.
  - Beyond the 2,850 replacement parking spaces, Google may deliver the remaining required parking either within the 1/3-mile radius of the SAP Center or through an Alternative Parking Arrangement.
    - **Alternative Parking Arrangement:** If Google determines that it will not provide any number of the remaining required parking spaces within the Project boundary, then, in order to meet the Required Parking Ratio, the City shall have the right to designate additional land owned by the City and within 1/3 of a mile of the Project boundary (the “Additional Parking Property”) for Developer to build additional parking spaces; Google would then be required to build additional spaces on the Additional Parking Property, subject to obtaining appropriate environmental clearance and any discretionary approvals; provided, however, in no event would

Developer be required to build parking spaces on the Additional Parking Property that, when aggregated with the spaces located within the Project boundary, would exceed the Required Parking Ratio or 4,000 total spaces, as described above.

- DOT to review the design of parking facilities as part of the Subsequent Review and future Focused LTA processes and make recommendations designed to facilitate access, egress, and safety.
2. Phasing: The requirements below are to ensure that enough parking exists, at any given specific time, for the continued operational needs of the SAP Center, as well as the multimodal goals of the City and Project.
- Compliance with this requirement shall be evaluated during the Conformance Review process for each office building, and verified prior to issuance of Building Permits for each office building.
    - Proposed parking spaces included as part of a previously approved Conformance Determination shall be counted to determine whether the Required Parking Ratio will be satisfied upon construction of the office building that is the subject of a Conformance Review. Surface parking spaces in the Project also shall be counted during the Conformance Review process to determine whether the Required Parking Ratio will be satisfied. For clarity, this means that, to determine whether the Required Parking Ratio will be satisfied, each Conformance Review for an office building shall account for (i) surface parking spaces in the Project, (ii) proposed parking spaces included in a previously approved Conformance Determination that have not yet been constructed, (iii) parking spaces already constructed as part of the Project, and (iv) the parking spaces included in the subject Conformance Review application. In the event a proposed office building would result in the elimination of existing surface parking spaces, the Conformance Review Application for that building shall not be denied for the temporary failure to satisfy the Required Parking Ratio during construction of the building if the Project would continue to provide a ratio of 0.5 spaces for each 1,000 square feet of Floor Area, and so long as the Required Parking Ratio is satisfied upon issuance of a Certificate of Occupancy for that office building.
    - Subject to the phasing assumptions in the Project EIR, if Block A is developed prior to either the development of Block E1 or Block F1, then the Project may be allowed to temporarily provide a ratio of 0.3 spaces for each 1,000 square feet of Floor Area at its completion, so long as the subsequent Office building proposed for development can demonstrate its ability to provide the Required Parking Ratio upon issuance of a Certificate of Occupancy for that building
  - If the Project will result in Long Term Temporary Conditions [NEEDS DEFINING] that result in a reduction in the number of Available parking spaces, Google shall develop and obtain agreement from the City for one or more interim parking management strategies as part of the Parking Delivery Plan during construction.
  - To the extent the Option agreement for Lots A/B/C is exercised prior to 2040, the Developer must be in compliance with the Required Parking Ratio prior to beginning vertical development on Lots A/B/C.
3. Assignment and Transfer: REFER OUT TO BROADER SECTION ON ASSIGNMENT AND TRANSFER.

## **Parking development standards in the PD Zoning**

### Proposed revised language

#### **Parking**

Development within the Downtown West PD Zoning District shall provide up to 2,360 residential parking spaces and up to 4,800 commercial parking spaces across the site. Parking for each building may be located in shared parking garages anywhere within the Downtown West PD Zoning District and is not restricted by parcel. District parking strategies that combine parking from multiple blocks in one location are permitted for both residential and commercial parking, and parking supply shall be counted at the district level and not for the block in which it is located.

The maximum number of commercial and/or residential parking spaces in the Downtown West PD Zoning District may be increased without amendment to this General Development Plan, provided that compliance with CEQA has been demonstrated and any additional necessary environmental review completed. Documentation of any parking increase pursuant to this section shall be through the Downtown West PD Zoning / Design Conformance Review process described on Sheet 8.01.

**Commercial/Public Parking:** Commercial/public parking is limited up to 4,800 spaces. For up to 7,300,000 gsf of Office as part of the Project, Developer shall be required to provide a minimum of 4,000 commercial/public off-street spaces ("Required spaces"). If, over the course of the Development Agreement, some parking is found to be no longer warranted, the City may, at its sole discretion, reduce the required overall minimum amount, without amendment to this General Development Plan.

Of the Required Spaces, a minimum of 2,850 commercial/public parking spaces shall be provided within the Zoning District. Alternative parking arrangements on and off-site are permitted to achieve up to the maximum count so long as the remaining spaces are provided within the 1/3-mile radius of the SAP Center or otherwise specified through an Alternative Parking Arrangement.

To ensure enough parking exists, at any given specific time, the project must demonstrate during Conformance Review that a minimum ratio is maintained as specified in the Development Agreement.